

NEIL K. NYDEGGER

email@nydegger.com

## NYDEGGER & ASSOCIATES

ATTORNEYS AT LAW

348 OLIVE STREET  
SAN DIEGO, CALIFORNIA 92103

PATENT

TELEPHONE  
(619) 688-1300  
FACSIMILE  
(619) 688-1322

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric Ryba	)
Serial No:	10/646,486	) Art Unit
Filed:	August 22, 2003	) 3739
For:	RESHAPEABLE TIP FOR A CRYOPROBE	)
Examiner:	Roseland Stacie Rollins	)
Customer No:	23862	)
Attorney Docket:	11350.23	)

Mail Stop Non-Fee Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment for entry in the above-identified application.

- ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.
- ☒ Petition for Extension of Time.
- ☒ Check for Petition for Extension of Time.

						SMALL ENTITY		OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE	<u>OR</u>	RATE	ADDIT. FEE
TOTAL	20	MINUS	20	=	0	X 9	= \$		X18=	\$
INDEP.	3	MINUS	3	=	0	X43	= \$		X86=	\$
1ST PRESENTATION OF MULTIPLE DEPEN. CLAIM						+145	= \$		+290=	\$
TOTAL ADDIT. FEE							\$-0-	OR	TOTAL \$	

\_\_\_\_ Please charge my Deposit Account No. 14-1519 in the amount of \$\_\_\_\_\_.

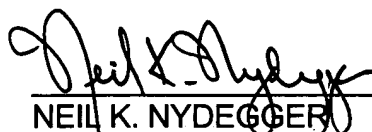
\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ is attached.

X The commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 14-1519, pertaining to i) any filing fees under 37 CFR 1.16 for the presentation of extra claims; ii) any patent application processing fees under 37 CFR 1.17. Copies in triplicate of this sheet are enclosed.

X Any additional extension of time required for the timely submission of this paper, the fees for which have not been previously paid, is hereby petitioned for and requested.

DATED this 20th day of August, 2004.

Respectfully submitted,



NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, California 92103  
Telephone: (619) 688-1300  
Facsimile: (619) 688-1322




PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric Ryba	)	
		)	
Serial No:	10/646,486	)	Art Unit
		)	3739
Filed:	August 22, 2003	)	
		)	
For:	RESHAPEABLE TIP FOR A CRYOPROBE	)	
		)	
Examiner:	Roseland Stacie Rollins	)	
		)	
Customer No:	23862	)	
		)	
Attorney Docket:	11350.23	)	

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Non-Fee Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of August, 2004.

  
\_\_\_\_\_  
DEBRA D. BURNS  
Legal Document Assistant

Transmitted: Transmittal of Amendment in Response to the Office Action dated April 22, 2004; Petition for Extension of Time and Check for Petition for Extension of Time.

oaflepto:ddb



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric Ryba	)	
		)	
Serial No:	10/646,486	)	Art Unit
		)	3739
Filed:	August 22, 2003	)	
		)	
For:	RESHAPEABLE TIP FOR A CRYOPROBE	)	
		)	
Examiner:	Roseland Stacie Rollins	)	
		)	
Customer No:	23862	)	
		)	
Attorney Docket:	11350.23	)	

RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 22, 2004, and in light of the Petition for an Extension of Time that is filed herewith to extend the time for response to August 22, 2004, please amend the above-captioned patent application as follows: